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P. 2

OCT 17 2003

TECHNOLOGY CENTER 3700
Attorney's Docket No.00-1914
Client's Docket No.

#8/dpm
11-14-03
Ret re
aband.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Re Patent Application of)
RANDY G COWAN)
Serial No.: 09/931,336)
Filed: 8/16/2001)
For: LABEL STRUCTURE AND METHOD OF)
FORMING THE LABEL STRUCTURE)
Examiner: Henderson, Mark T)
Group Art Unit: 3722)
Attorney: Ivar M. Kaardal)
Deposit Account No. 11-0020)

Box DAC
Attention: Office of Petitions
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

1. I hereby petition to withdraw the holding of abandonment in the above-identified case, on the basis that a proper response to the Office Action forming the basis of the abandonment was timely filed with the United States Patent and Trademark Office (U.S.P.T.O.).

2. I hereby state that a proper response (in the form of an Amendment to the above-identified application) was timely filed in the U.S.P.T.O. on September 2, 2003. As proof of the facsimile transmission of the response by counsel and the receipt by the U.S.P.T.O., enclosed are copies of the following documents:

(a) The Amendment paper for the above identified application dated September 2,2003.


(b) Counsel's facsimile cover sheet addressed to the U.S.P.T.O. Examiner for this application and identifying the application by application number, filing date, and inventor name. The cover sheet further bears a certificate of facsimile transmission to (703) 872-9302 of the same date as the amendment.

(c) The last page of the aforementioned Office Action showing the facsimile telephone number for the Examiner's Examining Group in the U.S.P.T.O. which corresponds to the facsimile number on the Certificate of Transmission on the aforementioned cover sheet.

(d) The facsimile transmission confirmation sheet generated by counsel's facsimile machine at the time of transmission of the amendment to the U.S.P.T.O. showing that the facsimile transmission was successful.

3. In consideration of these submissions, it is respectfully requested that the holding of abandonment be withdrawn, the enclosed response be considered as having been timely made, and the amendment considered in the prosecution of this case.

Respectfully submitted,


Ivar M. Kaardal (Reg. No. 29,812)
KAARDAL & ASSOCIATES, P.C.
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Sioux Falls, SD 57105-5802
(605)336-9446 FAX (605)336-1931
e-mail patent@kaardal.com

Date: 10/16/03

OCT 17 2003

TECHNOLOGY CENTER 3700

Attorney's Docket No.00-1914

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Re Patent Application of
RANDY G COWAN
Serial No.: 09/931,336
Filed: 8/16/2001
For: LABEL STRUCTURE AND METHOD OF FORMING THE LABEL
STRUCTURE
Examiner: Henderson, Mark T
Group Art Unit: 3722
Attorney: Ivar M. Kaardal

Honorable Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

**STATEMENT UNDER 37 CFR 1.8(b)(3) OF PERSONAL KNOWLEDGE OF
FAX TRANSMISSION OF AMENDMENT TO U.S.P.T.O.**

On October 15, 2003 Examiner Henderson called Kaardal & Associates, PC asking if the response to application no.09/931,336 was sent.

I, Jeffrey A Proehl, hereby state that I personally faxed to the U.S. Patent and Trademark Office (U.S.P.T.O.) an Amendment for the above-identified patent application on September 2, 2003.

Submitted with this STATEMENT are copies of the following documents establishing the transmission of the Amendment on the aforesaid date.

- 1) The fax transmittal sheet that accompanied the Amendment on the aforesaid date with the "Certificate of Transmission" signed and dated by me, and having the telephone number of the Examining Group listed thereon.
- 2) The report generated by the fax machine from which I faxed the Amendment to the U.S.P.T.O. that indicates that the fax transmission was received at the telephone number indicated thereon, which corresponds to the number listed on the "Certificate of Transmission".

Also submitted with this STATEMENT is a copy of the Amendment faxed to the U.S.P.T.O.


Jeffrey A Proehl

Date: Oct. 16, 2003

HP OfficeJet K Series K60xi
Personal Printer/Fax/Copier/Scanner

Log for

Sep 02 2003 10:16pm

Last Transaction

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Sep 2	10:07pm	Fax Sent	17038729302	8:47	23	OK

Application/Control Number: 09/931,336

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Art Unit: 3722

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark T. Henderson whose telephone number is (703)305-0189. The examiner can be reached on Monday - Friday from 7:30 AM to 3:45 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner supervisor, A. L. Wellington, can be reached on (703) 308-2159. The fax number for TC 3700 is (703)-872-9302. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 3700 receptionist whose telephone number is (703)308-1148.

MTH

March 28, 2003

A. L. WELLINGTON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700



Kaardal & Associates, PC

Attorneys At Law

3500 South First Avenue Circle - Suite 250
Sioux Falls, South Dakota 57105-5802

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Date: 9/2/03
Fax Number: (703) 872-9302
To: EXAMINER MARK T. HENDERSON, ACT UNIT 3722

From: Ivar M. Kaardal K Jeff Proehl Mark Ekse
Brendan Dix Robert K. Huck Stephanie Voigt
Cheryl Edblom Other: _____

RE: Appln. No. 09/931,336 Filing Date: 8/16/2001 Applicant: COWAN, RANDY
AMENDMENT, DRAWING SHEET + EXHIBIT A OF 3 PAGES

Total Number of Pages (Including cover sheet): 23 (Please call us as soon as possible if you do not receive all pages).

Certificate of Transmission

I hereby certify that this correspondence is being
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Office to FAX No. (703) 872-9302
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Signature

Printed Name

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Date: October 16, 2003

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Fax Number: (703) 746-3263

OCT 17 2003

To Examiner Henderson, Mark
Group Art 3722

TECHNOLOGY CENTER 3700

From: Ivar M. Kaardal

Jeff Proehl

Mark Ekse

Brendan Dix

Robert K. Huck

X Stephanie Voigt

Cheryl Edblom

Other: _____

RE: Appln. No. 09/931,336 Filing Date: 8/16/01 Applicant: Cowan

9/2/03 - Examiner's Request of Response dated
9/2/03 - Petition to Withdraw - Statement of Filing

Total Number of Pages (Including cover sheet): 29 (Please call us as soon as possible if you do not receive all pages).

Certificate of Transmission

I hereby certify that this correspondence is being
facsimile transmitted to the Patent and Trademark Signature

Office to FAX No. (703) _____
on the 16 of October, 2003.

Stephanie Voigt
Printed Name

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